

1 LYNN HUBBARD, III, SBN 69773
2 SCOTTLYNN J HUBBARD IV, SBN 212970
3 **DISABLED ADVOCACY GROUP, APLC**
4 12 Williamsburg Lane
5 Chico, CA 95926
6 Telephone: (530) 895-3252
7 Fax: (530) 894-8244

8 Attorneys for Plaintiff

9 ERNEST SLOME, SBN 122419
10 LEWIS BRISBOIS BISGAARD & SMITH, LLP
11 550 West "C" Street, Suite 800
12 San Diego, CA 92101
13 Telephone: (619) 233-1006
14 Fax: (619) 233-8627

15 Attorney for Defendant

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17 UNITED STATES DISTRICT COURT
18 SOUTHERN DISTRICT OF CALIFORNIA
19

20 BARBARA HUBBARD,
21 Plaintiff,
22 v.

Case No. 08 cv 0336 JAH (POR)

JOINT MOTION FOR DISMISSAL

23 S&C RAMIREZ ENTERPRISES,
24 INC.dba McONALD'S;
25 McDONALD'S CORP.,
26 Defendant.
27
28

1 IT IS HEREBY JOINTLY REQUESTED, pursuant to settlement and release
2 agreements between Plaintiff, BARBARA J HUBBARD, and Defendant, BOTO
3 ENTERPRISES INC., erroneously sued as S & C RAMIREZ ENTERPRISES, INC.
4 dba McDONALD'S, that this Court enter a dismissal with prejudice of Plaintiff's
5 complaint in the above-entitled action pursuant to Fed. R. Civ. P. 41 **as to Defendant**
6 **BOTO ENTERPRISES INC., erroneously sued as S & C RAMIREZ**
7 **ENTERPRISES, INC. only.**

8 Nothing in this Joint Motion shall be construed to affect Plaintiffs' complaint
9 and claims in the above referenced case against Defendant other than **Defendant**
10 **BOTO ENTERPRISES INC., erroneously sued as S & C RAMIREZ**
11 **ENTERPRISES, INC. only**

12
13
14 Dated: June 17, 2008

DISABLED ADVOCACY GROUP, APLC

15 /s/ Lynn Hubbard III
16 LYNN HUBBARD, III
17 Attorney for Plaintiff
Barbara Hubbard

18
19 Dated: June 17, 2008

LEWIS BRISBOIS BISGAARD & SMITH, LLP

20 /s/ Ernest Slome
21 ERNEST SLOME
22 Attorney for Defendant
S & C Ramirez Enterprises, Inc.

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF BUTTE

I, Jacqueline Martin, am employed in the aforesaid County; I am over the age of 18 years and not a party to the within action; my business address is 12 Williamsburg Lane, Chico, Butte County, California 95926.

On June 17, 2008, I caused the document(s) described as: **JOINT MOTION FOR DISMISSAL** to be served on the interested parties in this action as follows:

On all parties identified for Notice of Electronic Filing generated by the Court's CM/ECF system under the above referenced case caption and number on this date, in the following manner:

The following is a procedure in which service of this document was effected:

- (xx) ELECTRONIC SERVICE - by causing the document to be served via the Court's ECF Filing System.
- () OVERNIGHT DELIVERY - by causing said envelope(s) to be delivered overnight via an overnight delivery service in lieu of delivery by mail to the addressee(s).
- () FAX - by transmitting pursuant to Rules 2001 et seq., the above-described document(s) by facsimile machine (which complied with Rule 2003(3)). The transmission originated from facsimile phone number (530) 894-8244, and was reported complete without error. The facsimile machine properly issued a transmission report.
- () PERSONAL SERVICE - by causing to be delivered such document by hand to the offices of the addressee(s).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATED: June 17, 2008

/s/ Jacqueline Martin
Jacqueline Martin